

## AGENDA



Thursday, January 10, 2008

**Health and Human Services  
RECOMMENDATION FOR COUNCIL ACTION**

Item No. 14

**Subject:** Approve execution of a Memorandum of Cooperation between the City and AUSTIN INDEPENDENT SCHOOL DISTRICT (AISD), Austin, TX, to waive the temporary food event permit fee for any and all school-related, non-profit entities regarding AISD Temporary Food Event Permits.

**Amount and Source of Funding:** The estimated fiscal impact of the action is a \$1,120 loss in revenue. All AISD temporary food permit fees will be waived and food inspection services will be provided by the Austin/Travis County Health and Human Services Department Environmental and Consumer Health Unit.

**Fiscal Note:** There is no unanticipated fiscal impact. A fiscal note is not required.

**For More Information:** Shannon Jones, Asst. Director, Public Health and Community Services, 972-5416; David B. Lopez, Manager, HHSD Environmental and Consumer Health Unit, 972-5867; Linda Terry, Agenda Coordinator, 972-5023.

The City of Austin Code of Ordinances 12-2-41 requires a temporary food booth to obtain a permit to operate. The city code also states that the permit must be applied for 10 days prior to the event. Temporary food service events are such things as the rodeos, carnivals, outdoor festivals, Austin Independent School District (AISD) schools' and school-related entities' events and fund raisers. The permit fee is for each booth and based on the number of days of operation.

Temporary food permits are issued by the Environmental and Consumer Health Unit (ECHU) of the Austin/Travis County Health and Human Services Department (HHSD). The goal is not to stop outdoor and/or temporary events but to ensure that the food is from an approved source and handled in such a way that food borne-illness is prevented. Permits are also necessary to allow tracking of events in case of a problem.

AISD and the City agree to cooperate in assuring that AISD schools and school-support organizations may continue to sponsor educational and fund-raising events at AISD campuses for the benefit of students and the public school community in a safe and prudent manner.

1. Under the terms of the Agreement, the City will recognize all events held by school-related non-profit entities (as defined by Section 501(c)(3) of the Internal Revenue Code) associated with AISD campuses (e.g., PTOs, booster clubs, school athletic associations) as falling under a particular AISD campus' food manager permit for events:

- a. are sponsored by an AISD school, or a § 501(c)(3) nonprofit group organized for the purpose of supporting an AISD school or schools and are held on the school campus;
- b. any and all proceeds will be used for the support of the public school system; and,
- c. AISD's Food Services receives and retains a Temporary Food Event Information Form.

2. This Agreement shall waive the requirement that school-related non-profit groups pay a permit fee for any and all Temporary Food Event Permits, but does not waive the requirement of these non-profits obtaining such a permit for each food venue at an event from the SPOC at their campus. In addition, this Agreement does not waive the City's right and duty to conduct inspections of each food venue at such events. The City shall not waive any requirement to comply with any rule or regulation

relating to the actual handling or production of food, the right to close food related venues for violation, or, limit the City's ability in any way to cite AISD or its school campuses for violations of the Code.

**STAFF RECOMMENDATION**

HHSD recommends approval of the Memorandum of Agreement to be effective for the remainder of the school year from the date of final signature on the agreement and may be renewed under identical terms and conditions for additional academic year periods unless sooner terminated or amended as in the agreement. A copy of the entire agreement is attached.